

**DUNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ERIC SMITH,)
)
Plaintiff,)
)
v.) Case No. 4:18-CV-171-JCH
)
ST. CHARLES COUNTY, *et al.*,)
)
Defendants.)

**JOINT MOTION TO AMEND CASE MANAGEMENT ORDER TO EXTEND THE
TRIAL DATE**

The parties jointly respectfully request this Court reset the date for jury trial in this matter.

In support thereof, the parties state as follows:

1. On January 13, 2020, the Court granted Defendants' Motion to Sever and Plaintiff's Motion to Compel which required Defendants to produce certain documents. ECF No. 109.
2. To allow for this production of documents before dispositive briefing, this Court granted the Parties Joint Motion to Amend/Correct Case Management Order which set the following deadlines: May 22, 2020 for Motions for Summary Judgment; June 22, 2020, for Plaintiff's response to Defendants' Motion for Summary Judgment; and the trial date in this matter for November 2, 2020. ECF No. 115.
3. As this Court is aware, the parties litigated issues with the Defendants' production of documents throughout the spring and summer, with this Court granting several extensions for Plaintiff's response to Defendants' Motion for Summary Judgment. *See* ECF Nos. 125, 127, 128, 131, 132, 140.
4. Plaintiff submitted his response to Defendants' Motion for Summary Judgment on

September 11, 2020. ECF Nos. 149, 150, 151.

5. Defendants' reply is due October 9, 2020. ECF No. 154.
6. The parties are due to file pretrial motions and documents by October 13, 2020.

ECF 115.

7. The parties have met and conferred prior to submitting this request and believe for the following reasons that a trial date in November 2020 is unrealistic.

8. First and foremost, given the many extensions this Court has allowed for dispositive motion briefing, the parties would like to allow the Court time to rule on those motions.

9. The parties continue to engage in settlement discussions, which have been somewhat delayed due to Defendants' counsel's obligations assisting with COVID-19 response efforts. The parties believe these discussions may be fruitful in the coming months, obviating the need for a trial date.

10. One of Plaintiff's primary counsel will be taking family leave in November through January.

11. After conferring, parties believe the earliest this matter would be ready for trial is July 5, 2021. The parties would also be available for trial dates in the following months: September 2021, October 2021, and November 2021.

12. This request is not made for any improper purposes and is in the interest of justice.

WHEREFORE, the Parties respectfully request the Court reset Plaintiff's jury trial date.

Date: September 28, 2020

Respectfully submitted,

ArchCity Defenders, Inc.

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